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XA-10000
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Takahashi KOBAYASHI et al.

Appln. No.: 10/721,874 Group Art Unit: 2826

Filed: November 26, 2003 Examiner: F. Erdem

For: NONVOLATILE SEMICONDUCTOR MEMORY DEVICE AND METHOD
OF MANUFACTURING THEREOF

* * *

REQUEST TO VACATE OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

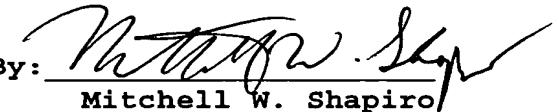
It is respectfully requested that the Office Action
dated August 26, 2004, be vacated. The action requires
restriction between I. Claims 1-29 and II. Claims 30-41.
However, Claims 30-41 were cancelled by the Preliminary
Amendment dated November 26, 2003.

Accordingly, the outstanding Office Action should be
vacated and an action on the merits given with respect to
Claims 1-29.

The Commissioner is hereby authorized to charge to
Deposit Account No. 50-1165 any fees under 37 C.F.R. §§ 1.16
and 1.17 that may be required by this paper and to credit

any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

Respectfully submitted,

By: 
Mitchell W. Shapiro
Reg. No. 31,568

MWS:lat

Miles & Stockbridge P.C.
1751 Pinnacle Drive, Suite 500
McLean, Virginia 22102-3833
(703) 903-9000

September 1, 2004